

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., July 22, 1997.

Members present: Mayor G. Michael Shelton; Councilman H. Davis Ballard; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Linda Kochendarfer; Councilman W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: None.

Staff present: City Manager Jack A. Gross, City Attorney W. W. Berry, IV, and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried unanimously, the minutes of the regular Council meeting held on May 27, 1997, were approved as corrected.

Mayor Shelton declared that the minutes of a regular Council meeting held on July 8, 1997, were approved as distributed.

On motion by Councilman Wandrei, seconded by Councilman Ballard, voted upon and carried unanimously, the following item was added to the agenda:

Executive session pursuant to Section 2.1-344(a)(1), of the Code of Virginia of 1950, as amended, regarding matters of personnel

It was the concurrence of Council that the Mayor appoint the following Council members to a special committee to review matters regarding the Bedford Public Library:

Councilwoman Kochendarfer, Chair; Councilman Wandrei; and Councilman Tharp

The Mayor stated the committee will disband following completion of the task assigned to it. Members of Council are to direct their questions through the Committee.

Mayor Shelton asked the committee to:

- clarify some of the Library policy matters
- meet with the three City members on the Library Board concerning the inclusion of a media center in the Library complex, which would involve the possibility of a local generation television studio and programming broadcasts to the branch library sites as they are developed in Bedford County.
- report back to Council at the conclusion of the assignment
- include the Library Director and the three City members on the Library Board

The Clerk of Council read aloud the following notice public hearing:

PUBLIC HEARING NOTICE

Notice is hereby given of public hearings to be held by the City Planning Commission at 5:30 p.m. on Thursday, July 10, 1997, and by the City Council at 7:00 p.m. on Tuesday, July 22, 1997, at the City Municipal Building, Council Hall, 215 E. Main St. for the purpose of considering a request for the following:

To consider rezoning property from M-1 Manufacturing to R-1A Low Density Residential and R-2 Medium Density Residential. The M-1 property fronting Baltimore Avenue identified as Lot 1 #176-7-A-1, Lot 2 #176-7-A-2, Lot 3 #176-7-A-3, Lot 4 #176-7-A-4, Lot 5 #176-7-A-5 is requested to be rezoned to R-1A. The M-1 property fronting Norfolk Avenue identified as Lot 6 #176-7-A-6, Lot 7 #176-7-A-7, Lot 8 #176-7-A-8, Lot 9 #176-7-A-9, Lot 10 #176-7-A-10, Lot 11 #176-7-A-11, Lot 12 #176-7-A-12 is requested to be rezoned to R-2.

Information regarding this rezoning is on file in the office of Planning & Community Development.

The request is being made by the City of Bedford Planning Commission.

Anyone who is in favor of or opposed to the request will have an opportunity to express their view at this hearing.

By the Authority of the Planning
Commission and City Council of the
City of Bedford

Mayor Shelton extended Council's sympathy to Vice Mayor Brookshier on the loss of his mother.

The Vice Mayor expressed his appreciation for the flowers, visits, and cards.

Mayor Shelton opened the public hearing at 7:40 p.m.

Mr. O. P. Stancer, Chairman of the Planning Commission, reported that at its meeting on July 10, 1997, the Planning Commission agreed to recommend approval of the rezoning of the property fronting on Baltimore Avenue to R-1A and the property fronting on Norfolk Avenue to R-2.

Mr. Leonard Mayhew, 816 Baltimore Avenue, on behalf of the neighborhood and himself, thanked Council for reconsidering the rezoning request.

As there were no further comments, Mayor Shelton closed the public hearing at 7:43 p.m.

The Consent Agenda consisted of the following items:

Appointment of Thelma Arthur and Jane Amnott to serve three-year terms on the Keep Bedford Beautiful Commission, said terms to expire June 30, 2000.

Recommend the appointment of James A. Vest to the Board of Directors of Virginia's Region

2000.

On motion by Councilman Wandrei, seconded by Vice Mayor Brookshier, voted upon and carried unanimously, Council adopted the Consent Agenda.

After a brief discussion, Councilman Tharp moved that Council approve the request to rezone property fronting on Baltimore Avenue from M-1 to R-1A and property fronting on Norfolk Avenue from M-1 to R-2. The motion was seconded by Councilman Ballard, voted upon and carried unanimously.

City Manager Gross stated the lease between the City and the Bedford Historical Society for the Charles Wharton house provides that the leased premises shall be used for certain purposes, but for no other purposes unless the prior written consent of City Council is obtained. The City Manager reported that a letter has been received from D. F. Cole, President of the Bedford Historical Society, requesting Council's approval of a lessee not in the approved uses. The potential lessee of the three upstairs rooms is a firm of Licensed Professional Counselors.

On motion by Councilwoman Kochendarfer, seconded by Councilman Ballard, voted upon and carried unanimously, Council approved the proposed lessee of the Charles Wharton House as requested by the Historical Society.

City Manager Gross stated that Council had before them a proposed ordinance which would amend Section 17.1-11(b) of the City Code dealing with leaf pickup. The proposed amendment sets out the times when City crews pick up leaves and the proper placement of leaves for pickup. The City Manager indicated the proposed ordinance also prohibits licensed commercial contractors from placing leaves in the public right of way for disposal. The Solid Waste Committee has discussed these changes and recommends the amendment to the ordinance.

City Manager Gross called to Council's attention the following clarification that was added to the ordinance: "No person shall place leaves for pickup except in front of property which he owns or on which he resides." This sentence was also considered by the Solid Waste Committee and was added as a further clarification. The City Manager indicated that the ordinance has been properly posted.

On motion by Councilman Tharp, seconded by Councilman Ballard, voted upon and carried unanimously, Council waived the reading of the proposed ordinance regarding the leaf pickup policy.

Vice Mayor Brookshier moved that Council adopt the ordinance amending Section 17.1-11(b) of the City Code. The motion was seconded by Councilman Ballard, voted upon and carried by the following roll call vote:

Councilman Wandrei aye

Councilwoman Kochendarfer aye

Vice Mayor Brookshier aye

Councilman Tharp aye

Councilwoman Flood aye

Councilman Ballard aye

Mayor Shelton aye

The ordinance follows as adopted:

AN ORDINANCE AMENDING THE CITY LEAF PICKUP POLICY

BE IT ORDAINED by the City Council of the City of Bedford:

Section 1. Section 17.1-11(b) is amended and reenacted as follows:

The City will pick up leaves with a mechanical leaf collector or other device from September through December and during the spring clean-up week in April according to a schedule established from time to time by the Public Works Department after considering demand and availability of funds. The City will provide leaf pickup service only for residential locations. The owner or occupant of the property may place leaves in the public rights of way for pickup only if the leaves are placed behind the curb or as near the edge of the pavement as possible and in such a manner as not to obstruct use of the sidewalk or the traveled portion of the street or the flow of drainage along gutters and ditches. No person shall place leaves for pickup except in front of property which he owns or on which he resides. Brush, lumber and trash must not be mixed with leaves in order to avoid damage to the collecting machine. Licensed commercial contractors picking up leaves for residents shall be responsible for leaf disposal and shall not place leaves in the public right of way for disposal. The City will not pick up leaves left in the public right of way by licensed commercial contractors.

Section 2. This ordinance shall take effect upon completion of publication in accordance with Section 19 of the City Charter.

Councilman Tharp moved that Council adjourn into executive session pursuant to Section 2.1-344(a)(1) of the Code of Virginia of 1950, as amended, regarding matters of personnel. The motion was seconded by Councilman Ballard, voted upon and carried unanimously by the following roll call vote:

Councilman Ballard aye

Councilwoman Flood aye

Councilman Tharp aye

Vice Mayor Brookshier aye

Councilwoman Kochendarfer aye

Councilman Wandrei aye

Mayor Shelton aye

Council adjourned into executive session at 7:55 p.m.

Council reconvened into open session at 8:40 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

Councilwoman Kochendarfer moved that the resolution be adopted. The motion was seconded by Councilman Ballard, voted upon and carried unanimously by the following roll call vote:

Councilman Ballard aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Mayor Shelton aye

Discussion ensued regarding the use of the dental clinic at Bedford Primary School. The staff will investigate this matter.

City Manager Gross reported on a meeting he and the Assistant City Manager had with County Administrator Bill Rolfe regarding the bid opening for the new dispatch center and sheriff's office. Mr. Gross stated that instead of the estimated 1.4 million dollars for the project, the bid was in the amount of 1.8 million dollars. The City Manager stated that Mr. Rolfe mentioned the possibility of the City paying 50% of the cost of the construction for the joint dispatch center rather than 11.7%. Chief of Police Graham is in the process of gathering information on having a separate dispatch center in the Municipal Building.

Mayor Shelton asked the City/County Relations Committee to be prepared to meet with the County counterparts concerning a proposed possible amendment to the Regional Library contract regarding how the Board of Directors of the Library is constituted.

Mayor Shelton adjourned the meeting at 8:50 p.m. until August 12, 1997, at 6:00 p.m. at Liberty Lake Park Community Center for a joint meeting with the City School Board.